

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 11, 13-14, and 21-23 are presently active in this case, Claim 11 having been amended, Claims 1-10, 12, and 15-20 canceled, and Claims 21-23 added by the present amendment.

In the outstanding Office Action, Claims 11-15 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Publication 2003/0152057 to Chou et al., hereinafter called “Chou”. Claims 1-10 and 16-20 were also rejected under 35 U.S.C. § 103 as being unpatentable over Chou in view of U.S. Patent 6,944,457 to Allinikula et al., hereinafter called “Allinikula”.

In light of the outstanding grounds for rejection, and in order to expedite examination and issuance of a patent from the present application, Claims 1-10 and 15-20 have been canceled, and Claim 11 has been amended to include the subject matter formerly stated in Claim 12. Also submitted are new Claims 21-23, with Claim 21 finding support in steps S136-S137 of Figure 14 and steps S141-S142 of Figure 15 of Applicant’s disclosure. Claims 22 and 23 are identical to original Claims 13 and 14. Accordingly, the submission of new Claims 21-23 are not believed to raise a question of new matter.

Applicant respectfully traverses the outstanding rejection of Claims 11-12 insofar as the outstanding ground for rejection may be applicable to amended Claim 11, because in Applicant’s view amended Claim 11 clearly patentably defines over the cited prior art.

In particular, amended Claim 11 is directed to an information providing apparatus wherein it is possible to switch three possible ranges of wireless communication, and the possible range is gradually enlarged when it is determined that the sent information has not

reached an information receiver. On the other hand, Chou discloses in paragraph [0046] a radio transceiver 454 having an extended dynamic range. However, Chou neither discloses nor suggests how the possible range of wireless communication in the radio transceiver 454 is switched. Therefore, it is respectfully submitted that Chou in no way anticipates or renders obvious the subject matter of amended Claim 11, and that amended Claim 11 patentably defines over Chou.

New Claim 21 defines a variation of the information providing apparatus stated in Claim 11, wherein when a first packet is received from the service receiver, the possible range of wireless communication is enlarged, and then when the first packet is received again, the possible range of wireless communication is further enlarged. Thus, Claim 21 requires the switching of possible ranges of wireless communications being triggered by reception of the first packet, whereby it is possible further to improve security. For the reasons above noted with respect to Claim 11, it is respectfully submitted that Chow neither teaches nor renders obvious the subject matter of Claim 21.

The deficiencies of Chow are not believed to be remedied by Alinikula, and therefore it is respectfully submitted that the pending independent Claims 11 and 21 patentably define over the cited prior art references, as do the dependent Claims 13-14 and 22-23 respectively dependent from Claims 11 and 21.

Consequently, in view of the present amendment and in light of the above discussion, Claims 11 and 21, and dependent Claims 13-14 and 22-23, respectively dependent therefrom,

are believed patentably distinguishing over the cited prior art and in condition for allowance.

An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

  
\_\_\_\_\_  
Eckhard H. Kuesters  
Attorney of Record  
Registration No. 28,870

I:\ATTY\EHK\24's\248729US\248729us-AMENDMENT-8.23.07.DOC